

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Higher Education – UGC Pay Scales 2006 – Request of Teachers working in Universities and Colleges for enhancement of age of Superannuation to 65 years - Committee constituted to examine the issue – Report submitted – Request Rejected – Orders – Issued.

HIGHER EDUCATION (UE.II) DEPARTMENT

G.O.Ms.No. 40

Dated:28.06.2012

Read the following:-

- 1) From the Ministry of Human Resource Development, Govt. of India, New Delhi, Letter F.No.1-19/2006-U.II, dated 23.03.2007.
- 2) G.O.Ms.No.15, Higher Education (UE.II) Dept., dt.28.01.2008.
- 3) G.O.Ms.No.14, Higher Education (UE.II) Dept., dt.20.02.2010.
- 4) G.O.Ms.No.327, Higher Edn. (UE.II) Dept., dt.21.05.2011.
- 5) Report of the Committee dated 17.03.2012.

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At present the age of superannuation in respect of teachers working in Colleges and Universities is 58 and 60 years respectively.

2. In the reference 1st read above, the Ministry of Human Resources Development, Govt. of India have stated that, the Central Government in the light of existing shortage in teaching positions in the Centrally funded Institutions in Higher and Technical Education, have taken the following decisions:

- i) The age of superannuation of all persons who were holding teaching positions on regular employment against sanctioned posts as on 15.03.2007 in any of the Centrally funded higher and technical educations under the Ministry shall be increased from present 62 years to 65 years.
- ii) Persons holding such regular teaching positions, who have superannuated prior to 15.03.2007 on attaining the age of 62 years but have not attained the age of 65 years, may be re-employed against vacant sanctioned teaching positions till they attain the age of 65 years, in accordance with the guidelines framed by the University Grants Commission.
- iii) All persons holding teaching positions against sanctioned posts may also be considered for re-employment beyond 65 years and upto the age of 70 years, against sanctioned vacant posts, if such posts are not filled up by regular candidates. However, such re-employments beyond the age of 65 years shall be done only after screening at the age of 65 years, under the extant guidelines of the University Grants Commission.

3. Keeping the above recommendations of the Ministry of Human Resource Development, Government of India in view, orders were issued in G.O. 2nd read above, permitting the State Universities to re-employ the deserving University teachers after their superannuation for a period of two years upto the age of 62 years against the sanctioned vacant posts in equivalent category subject to certain guidelines.

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4. In the G.O. 3rd read above, orders were issued implementing the UGC Revised Pay Scales 2006 to the University and College Teachers in the State. These orders were issued based on the UGC Regulations 2009 and the G.O. reads under superannuation as indicated below:

- i) the existing age of superannuation of teachers in the State Universities and Colleges shall apply from time to time.
- ii) the Govt. examine the enhancement of age of superannuation of the teachers separately.
- iii) the existing guidelines on the re-employment of the superannuated teachers may be reviewed in the light of UGC Regulations.

5. Based on the recommendations of the Ministry of Human Resource Development, Government of India and on the request of the Teachers working in Universities and Colleges, orders were issued in the G.O. 4th read above constituting a Committee with the following members to examine the issue in detail for enhancement of age of superannuation to 65 years, Keeping in view the financial implications:

- 1. The Principal Secretary to Government, Higher Education.
- 2. The Principal Secretary to Government, (FP), Finance.
- 3. The Chairman, A.P. State Council of Higher Education.
- 4. Prof. V.Ramakishiaiah, former Vice Chancellor,
Osmania University, Hyderabad

6. In reference 5th read above, the Committee has submitted its report. The Committee has made following observations in the Report:

- (i) The Committee noted that the UGC Regulations 1996 prescribed the age of superannuation as 62 years to the teachers working in colleges and Universities. However, the Govt. of Andhra Pradesh has retained the age of superannuation as 58 years to the teachers working in Colleges and 60 years to the teachers working in Universities. The Government of India has also released the reimbursement of its 80% arrears contribution to the State. Further, the Hon'ble Supreme Court upheld the contention of the State Govt. to retain the age of superannuation at the present level without taking into consideration the 62 years as prescribed by the UGC Regulations.
- (ii) The Government of India enhanced the age of superannuation of teachers working in Central Universities/ Institutions from 62 to 65 years, not recently, but five years ago (MHRD Letter dt.23.3.2007). This is mainly to overcome the shortage of teachers in the centrally funded institutions arising due to increase in student intake while implementing the reservation policy to OBC candidates.
- (iii) That neither in the UGC draft Regulations 2009 nor in the UGC Regulations 2010, there is any mention of enhancement of age of superannuation of teachers working in the State Universities and Colleges under the para "Age of Superannuation". The enhancement of age of superannuation mentioned under this para in these documents is only for Central Institutions.

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- (iv) Under the Section "Applicability of the Scheme in the UGC Regulations, it is mentioned that; this Scheme may be extended to Universities, Colleges and other higher Educational institutions coming under the purview of State Legislatures, provided State Governments wish to adopt and implement the Scheme.
- (v) The demand for enhancement of the age of superannuation by the State teachers is not new and has been consistently cropping up whenever there is revision of pay scales by the UGC. The matter has gone to courts several times and the Hon'ble Courts upheld the right of the State Government in the matter of fixation of the age of superannuation.
- (vi) The Government of A.P. also taking into consideration the need to make use of the services of committed teachers in various Universities, issued guidelines through G.O.Ms.No.15, Higher Edn.(UE.II) Dept., dt.28.1.2008 on re-employment of University teachers after superannuation upto 62 years. It is noted that the University teachers are not availing the said scheme, but asking for blanket enhancement of the superannuation age to all teachers.
- (vii) The A.P.State Council of Higher Education in the year 2005 constituted a Committee under the Chairmanship of Prof. Anandakrishnan to rationalize the staffing pattern in the Universities as it was felt necessary due to the fact that the teaching positions to Universities were sanctioned long ago as per the requirements and the existing departments at that time. The Report was communicated to the Government for taking necessary action.

The positions recommended by the Committee department-wise were less than the original sanctioned strength in many cases and in fact, an exercise was made to effectively transfer the 'excess' unfilled positions to needy and emerging disciplines. It is desirable to continue such a rationalization process of transferring unfilled excess positions as well as filled excess positions after present incumbents retire and any decision to enhance the age of superannuation may adversely affect this process.

- (viii) In most of the Universities, the admitted students strength in non-professional courses on the average has been going down and in some of the Departments; the strength has almost reduced to single digit.
- (ix) The total Number of teachers retired from service in the Universities from 2006-07 to 2010-11 is around 650 while the State Govt. has accorded approval to fill up 1040 vacant posts in the Universities during the same period. However, a large number of such posts have not been filled due to various reasons and being manned by contract teachers. In fact, there are around 1500 teachers working in the Universities on contract basis with lower emoluments, around 35-40% of them possess either NET or Ph.D.
- (x) The ideal staffing pattern as suggested by the UGC in any teaching department is 1:2:4 (1 Professor, 2 Associate Professors and 4 Asst.Professors). However, it has been noticed that on account of the implementation of Career Advancement Scheme, most of the Asst.Professors have been getting quick promotions as

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Associate Professors and Associate Professors as Professors resulting in almost reversing the ratio in several cases. For instance : in the three oldest Universities of the state viz., Osmania, Andhra and S.V. Universities, a total of 802 Professors, 290 Associate Professors and 349 Asst.Professors are in position. Any decision on the enhancement of the age of superannuation will further distort the situation vis-à-vis the ideal ratio which is academically not desirable.

- (xi) Of the total No. of teachers now working in Government/Aided Polytechnics and Degree Colleges, almost two-thirds do not possess the NET/Ph.D. qualification as required. This is not desirable in academic interest and there is every need to take steps to see that the proportion of duly qualified teachers increases as quickly as possible. Any consideration for enhancing the age of superannuation must also keep this point in view.
- (xii) It is observed that, in three States the superannuation age of teachers has been raised to 65 years while in seven other States it has been made 62 years. In rest of the States, the age of superannuation is either 60 years or less.

7. The Committee has made following recommendations in its report:

- (a) If shortage of teaching positions is understood as due to vacancies existing, Andhra Pradesh Universities and the Colleges have many vacancies which are now being filled up on regular basis as a priority. In case shortage of positions is understood as due to non-availability of qualified candidates, Andhra Pradesh being a hub of educational institutions, there is no dearth of qualified candidates. The problem may be that these vacancies have not been regularly advertised and instead many candidates have been appointed on adhoc basis as contract basis. The solution in this regard is to fill up vacancies as and when they arise promptly by appointing the best talent on regular basis. The young and energetic resources of the qualified candidates must be fully utilized by providing opportunities for them to excel in various disciplines both conventional and emerging.
- (b) The Government of A.P. has been implementing reservations in student admissions for BCs and other weaker sections in the Universities and the Colleges since long and there is no need for more number of teaching positions on the ground of additional intake of such students as is the case in the Centrally funded institutions.
- (c) The MHRD itself admits that where there is no shortage of qualified candidates as is the case with Librarians and Physical Directors there is no need for enhancement of the age of superannuation. Applying the same criteria, there is no shortage of qualified candidates in various disciplines in Andhra Pradesh as can be observed from the fact that a large number of such candidates have been working on temporary basis for several years in Universities and Colleges.
- (d) That retired teachers on merit criteria may be appointed on contractual basis till regular appointments are made. However, this should only be a stop-gap arrangement and it is always necessary to take immediate steps in filling the vacancies on regular basis with young and talented candidates.

- (e) That the existing practice of filling up vacancies on adhoc / contract basis at entry level should be discontinued. Instead, depending on the need retired teachers in exceptional cases may be appointed on merit criteria on contractual basis till regular recruitment is made.
 - (f) That in the fast changing scenario which is technology driven, there is every need to induct young, well qualified talent into teaching profession to cope with the knowledge explosion. It is also necessary to take care that such young workforce in the State does not end up in any kind of frustration due to reduced opportunities in academic institutions. At the same time, it is essential to effectively utilize the services of committed senior faculty who would guide and provide inspiration to the youngsters through their teaching and research.
 - (g) That Higher Education Institutions may effectively utilize the services of exceptionally talented teachers beyond the present age limits. Firstly, there is provision of re-employment in universities as per the guidelines issued in G.O.Ms.No.15, Higher Education (UE.II) Dept., dated 28.01.2008, which such teachers can make use of. Then, there are several schemes presently available like the Emeritus Professorships, National Teachers, Emeritus Scientists, Project-funded positions, etc., by various Central Agencies and these opportunities must effectively be utilized by the senior faculty.
8. The Committee finally held that there is no case for enhancement of the age of superannuation of University and College teachers in the State of Andhra Pradesh.
9. Government have carefully examined the Report submitted by the Committee and have decided to continue the existing age of Superannuation of 60 years in respect of the University Teachers and 58 years in respect of College Teachers. Accordingly, the request of University Teachers Association and College Teachers Association for enhancement of age of Superannuation to 65 years is hereby rejected.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.G.GOPAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chairman, A.P.S.C.H.E., Hyderabad.
The Registrars of all the Universities.
The Commissioner of Collegiate Education, Hyderabad.
The Secretary, A.P.S.C.H.E., Hyderabad.
The Joint Secretary, UGC, Bahadur Shah Zafar Marg, New Delhi-2.
The Dy. Secretary to Govt. of India, MHRD, Dept. of Higher Education, New Delhi.
The General Secretary, A.P.FUTA /GCGTA/ACTA/GCTA, Hyderabad.
Copy to:
The P.S. to Advocate General, A.P.H.C., Hyderabad.
The Govt. Pleader for Higher Education, APHC, Hyderabad.
The P.S. to Spl. Secretary to CM.
The P.S. to Hon'ble Dy.CM./P.S.to Prl. Secretary to Govt., H.E. Dept.
The Finance (Expr.HE) Dept.
SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER